

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Richard K. Soyk,

Plaintiff,

vs.

Jo Anne B. Barnhart, Commissioner,
Social Security Administration,

Defendant.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Case No. 1:05-cv-097

The above-entitled action was referred to Magistrate Judge Charles S. Miller, Jr., for the issuance of a Report and Recommendation. Magistrate Judge Miller issued his Report and Recommendation on July 11, 2006, wherein he recommended that the Defendant's motion for summary judgment be granted and the plaintiff's motion for summary judgment be denied.

Soyk filed an objection to the Report and Recommendation on July 21, 2006. In his objections, Soyk reiterates the arguments from his previous filings.

The Court has carefully reviewed the entire record, Soyk's objections, along with the Report and Recommendation and finds that Magistrate Judge Miller's Report and Recommendation is thorough and persuasive. Accordingly, the Court **ADOPTS** the Report and Recommendation (Docket No. 14). The Defendant's Motion for Summary Judgment (Docket No. 8) is **GRANTED** and the Plaintiff's Motion for Summary Judgment (Docket No. 10) is **DENIED**.

The Clerk of Court is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated this 8th day of August, 2006.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court